

House File 2403 - Introduced

HOUSE FILE 2403
BY COMMITTEE ON NATURAL
RESOURCES

(SUCCESSOR TO HF 2160)

A BILL FOR

1 An Act relating to the baiting of deer on public or private
2 property and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 481A.41 Baiting of deer.

2 1. As used in this section, unless the context otherwise
3 requires:

4 a. "Baited area" means any area where feed is placed,
5 exposed, deposited, distributed, or scattered with the intent
6 to lure, attract, or entice wildlife to a specific location.

7 b. (1) "Feed" means grain, fruit, vegetables, nuts, hay,
8 salt, mineral blocks, or any other natural food materials;
9 commercial products containing natural food materials; or
10 by-products of such materials, that are capable of luring,
11 attracting, or enticing wildlife to a specific location.

12 (2) "Feed" does not include any of the following:

13 (a) Food placed during normal agricultural activities
14 including but not limited to feed placed for livestock that are
15 present and are actively consuming the feed on a regular basis.

16 (b) Incidental feeding of wildlife within an active
17 livestock operation.

18 (c) Crops planted and left standing as food plots for
19 wildlife.

20 (d) Grain or other feed scattered or distributed as a result
21 of normal agricultural, gardening, soil stabilization, or
22 logging practices.

23 (e) Vegetation or other feed that is naturally deposited in
24 an area.

25 2. A person shall not hunt, take, or attempt to take deer
26 on or in a baited area.

27 3. A person shall not place, expose, deposit, distribute,
28 or scatter feed on a baited area on any private or public
29 property, or knowingly allow another person to place, expose,
30 deposit, distribute, or scatter feed on a baited area on
31 private property under the person's ownership or lease in
32 the state unless all feed is removed from the baited area at
33 least ten days prior to the opening day of the first fall deer
34 hunting season. An area remains a baited area for ten days
35 following complete removal of all feed from the area, except

1 for salt, minerals, or any other feed that will dissolve and
2 leach into the soil, in which case the area shall be considered
3 a permanently baited area until such time as all contaminated
4 soil is removed or until there is no longer evidence that deer
5 are artificially attracted to or are accessing the site. A
6 person shall not hunt, take, or attempt to take deer within two
7 hundred yards of a permanently baited area until such time as
8 all contaminated soil is removed from the area or until there
9 is no evidence that deer are artificially attracted to or are
10 accessing the area.

11 4. If salt, minerals, or any other feed that will dissolve
12 and leach into the soil is placed in an area for agricultural
13 purposes, that area shall not be considered a baited area or a
14 permanently baited area.

15 5. A person shall not establish a baited area or place,
16 expose, deposit, distribute, or scatter feed in an area with
17 the intent to prevent or disrupt the hunting activities of
18 another person. A violation of this subsection constitutes a
19 violation of section 481A.125.

20 Sec. 2. Section 805.8B, subsection 3, paragraph e, Code
21 2016, is amended to read as follows:

22 e. For violations of [sections 481A.41, 481A.57, 481A.85,](#)
23 [481A.93, 481A.95, 481A.120, 481A.137, 481B.5, 482.3, 482.9,](#)
24 [482.15, and 483A.42,](#) the scheduled fine is one hundred dollars.

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with
27 the explanation's substance by the members of the general assembly.

28 This bill prohibits hunting, taking, or attempting to take
29 deer on or in a baited area. The bill also requires that
30 if a person places feed in a baited area, all feed must be
31 removed from that area at least 10 days before the opening
32 day of the first fall deer hunting season. An area remains
33 a baited area for 10 days following complete removal of all
34 feed from the area, except for salt, minerals, or any other
35 feed that will dissolve and leach into the soil, in which case

1 the area is considered a permanently baited area until such
2 time as all contaminated soil is removed or until there is no
3 longer evidence that deer are artificially attracted to or are
4 accessing the site. A person shall not hunt, take, or attempt
5 to take deer within 200 yards of a permanently baited area
6 until such time as all contaminated soil is removed from the
7 area or until there is no evidence that deer are artificially
8 attracted to or are accessing the area.

9 If salt, minerals, or any other feed that will dissolve
10 and leach into the soil is placed in an area for agricultural
11 purposes, that area is not considered a baited area or a
12 permanently baited area.

13 A person shall not establish a baited area or place, expose,
14 deposit, distribute, or scatter feed in an area with the
15 intent to prevent or disrupt the hunting activities of another
16 person. A violation of this provision constitutes intentional
17 interference with lawful hunting under section 481A.125 and is
18 punishable as a simple misdemeanor for a first offense and as
19 a serious misdemeanor for any subsequent offense. A simple
20 misdemeanor is punishable by confinement for no more than 30
21 days or a fine of at least \$65 but not more than \$625 or by
22 both. A serious misdemeanor is punishable by confinement for
23 no more than one year and a fine of at least \$315 but not more
24 than \$1,875.

25 For purposes of the bill, "feed" is grain, fruit,
26 vegetables, nuts, hay, salt, mineral blocks, or any other
27 natural food materials; commercial products containing natural
28 food materials; or by-products of such materials, that are
29 capable of luring, attracting, or enticing wildlife to a
30 specific location. "Feed" does not include food placed during
31 normal agricultural activities including but not limited to
32 feed placed for livestock that are present and are actively
33 consuming the feed on a regular basis; incidental feeding
34 of wildlife within an active livestock operation; crops
35 planted and left standing as food plots for wildlife; grain

1 or other feed scattered or distributed as a result of normal
2 agricultural, gardening, soil stabilization, or logging
3 practices; or vegetation or other feed that is naturally
4 deposited in an area. A "baited area" is any area where feed
5 is placed, exposed, deposited, distributed, or scattered with
6 the intent to lure, attract, or entice wildlife to a specific
7 location.

8 A violation of the bill's provisions is punishable with a
9 scheduled fine of \$100.